

**CIVIL NO. 5:98CV92**

**JAMES R. BARNES, and wife** )  
**DOROTHY G. BARNES, et al.,** )  
 )  
 This document pertains to: )  
**JAMES R. BARNES, and wife** )  
**DOROTHY G. BARNES; GRADY H.** )  
**BEARD, and wife SUZY M. BEARD;** )  
**WAYNE BEHELER; JAMES L. COBB,** )  
**and wife REBEKAH COBB;** )  
**BARNEY MERRILL GRANT, and wife** )  
**HAZEL GRANT; E. F. GREENE, JR.;** )  
**BENJAMIN G. GROGAN, and wife** )  
**HELEN D. GROGAN; JOEANN S.** )  
**HANCOCK, Individually and as** )  
**Representative of the Estate of** )  
**Marion Hancock, Deceased; JERRY** )  
**LEE HEWELL, and wife JANICE** )  
**HEWELL; VIRGINIA F. HORNE,** )  
**Individually and as Executrix of the** )  
**Estate of Jimmy R. Horne, Sr.,** )  
**Deceased; WILLIAM D. JOYCE, and** )  
**wife PATSY F. JOYCE;** )  
**ROBERT L. MAUNEY, and wife** )  
**TERESA MAUNEY; ROGER D.** )  
**PHILLIPS; GERALD W. RICHARDS,** )  
**and wife SUSAN H. RICHARDS;** )  
**SHARON C. COBB, Executrix of the** )  
**Estate of Orvil L. Cupp, Deceased;** )  
**ALTON L. HUGHES, and wife LENA** )  
**M. HUGHES; and CURTIS H.** )  
**CUTHBERTSON, Administrator of the** )  
**Estate of Hoy v. Cuthbertson,** )

Deceased,	)	
	)	
Plaintiffs,	)	
	)	
Vs.	)	<u>ORDER</u>
	)	
OWENS-ILLINOIS, INC.,	)	
	)	
Defendant.	)	
_____	)	

**THIS MATTER** is before the Court on the joint motion of the captioned Plaintiffs and the Defendant Owens-Illinois, Inc., to dismiss.

With the consent of the parties herein,

**IT IS, THEREFORE, ORDERED** that the joint motion to dismiss is **ALLOWED**, and the claims of Plaintiffs Curtis H. Cuthbertson, Administrator of the Estate of Hoy V. Cuthbertson, Deceased; Joeann S. Hancock, Individually and as Representative of the Estate of Marion Hancock, Deceased; and Virginia F. Horne, Individually and as Executrix of the Estate of Jimmy R. Horne, Sr., against the Defendant Owens-Illinois, Inc., are hereby **DISMISSED WITH PREJUDICE**.

**IT IS FURTHER ORDERED** that the claims of Plaintiffs James R. Barnes, and wife Dorothy G. Barnes; Grady H. Beard, and wife Suzy M. Beard; Wayne Beheler; James L. Cobb, and wife Rebekah Cobb; Sharon

C. Cobb, Executrix of the Estate of Orvil L. Cupp, Deceased; Barney Merrill Grant, and wife Hazel Grant; E. F. Greene, Jr.; Benjamin G. Grogan, and wife Helen D. Grogan; Jerry Lee Hewell, and wife Janice Hewell; Alton L. Hughes, and wife Lena M. Hughes; William D. Joyce, and wife Patsy F. Joyce; Robert L. Mauney, and wife Teresa Mauney; Roger D. Phillips; and Gerald W. Richards, and wife Susan H. Richards, against the Defendant Owens-Illinois, Inc., are hereby **DISMISSED WITHOUT PREJUDICE**, and this matter is hereby terminated as to that Defendant.

Signed: July 6, 2007



Lacy H. Thornburg  
United States District Judge

